

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 22-61553-WPD

CRUZ VALDIVIESO FIGUERA

Plaintiff,

v.

ALL VIP CARE, INC., et. al.

Defendants.

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ORDER DEFERRING RULING ON MOTION TO WITHDRAW AS COUNSEL

THIS CAUSE is before the Court upon Elizabeth P. Perez, Esq. of Perez Legal Group's Motion to Withdraw as Counsel for Defendants, ALL VIP CARE INC. and LIZ VELAZQUEZ MCKINNON, ("Defendants"), filed on February 19, 2025 [DE 210]. The Court has carefully considered the Motion [DE 210] and is otherwise fully advised in the premises.

The Court will defer ruling on the Motion [DE 210] until Defendants have had an opportunity to file any objection to the Motion. A failure to timely file an objection will result in the granting of the Motion.


The Court notes that if the Motion is granted, Defendant ALL VIP CARE INC. will be required to obtain new counsel to file an appearance in the record. It is a well-settled principle of law that a corporation cannot appear *pro se* and must be represented by counsel. *See Palazzo v. Gulf Oil Corp.*, 764 F.2d 1381, 1385-1386 (11th Cir. 1985), *cert. denied*, 474 U.S. 1058 (1986); *National Independent Theater Exhibitors, Inc. v. Buena Vista Distribution Company*, 748 F.2d 602, 609 (11th Cir. 1985), *cert. denied* 471 U.S. 1056 (1985). In the event the Court grants the motion to withdraw and Defendant ALL VIP CARE INC. does not obtain counsel to appear in

the record, the Court will deem Defendant ALL VIP CARE INC. to be in default and require Plaintiff to file a motion for default judgment.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The Court will defer ruling on the Motion [DE 210] until **March 6, 2025**;
2. Counsel Elizabeth P. Perez, Esq. is **DIRECTED** to provide Defendants ALL VIP CARE INC. and LIZ VELAZQUEZ with a copy of this Order on or before **February 25, 2025** and file a notice of compliance in the record, stating the manner in which the Order was provided to the Defendants.

DONE and ORDRED in Chambers at Fort Lauderdale, Broward County, Florida this 20th day of February, 2025.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished:
All counsel of record